

THE HONORABLE MARY ALICE THEILER

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

LOCALS 302 AND 612 OF THE
INTERNATIONAL UNION OF
OPERATING ENGINEERS
CONSTRUCTION INDUSTRY HEALTH
AND SECURITY FUND; LOCALS 302
AND 612 OF THE INTERNATIONAL
UNION OF OPERATING ENGINEERS-
EMPLOYERS CONSTRUCTION
INDUSTRY RETIREMENT FUND;
WESTERN WASHINGTON OPERATING
ENGINEERS-EMPLOYERS TRAINING
TRUST FUND; and LOCAL 302
INTERNATIONAL UNION OF
OPERATING ENGINEERS,
Plaintiffs

v.

GASTON BROS. EXCAVATING, INC., a
Washington corporation
Defendant.

NO. C05-1679-MAT

STIPULATION AND ORDER FOR ENTRY
OF JUDGMENT

THE PARTIES above named, through their attorneys, Reid, Pedersen, McCarthy & Ballew, L.L.P., attorneys for Plaintiffs, and Short, Cressman & Burgess, PLLC, attorneys for Defendant, Gaston Bros. Excavating, Inc. ("Gaston") hereby stipulate to enter Judgment in the above-referenced action.

JUDGMENT

Page 1 of 3

C:\DOCUME~1\gburnopp\LOCALS~1\Temp\notesFFF692\Final Stipulation and Judgment.doc

DATED this 11th day of September, 2006.

REID, PEDERSEN, McCARTHY & BALLEW, L.L.P.

s/Todd A. Lyon

Russell J. Reid, WSBA #2560
Todd A. Lyon, WSBA #30387
Attorneys for Plaintiff

DATED this 5th day of September, 2006.

SHORT, CRESSMAN & BURGESS, PLLC

s/Janet Kim Lin

John P. Ahlers, WSBA No. 13070
Janet Kim Lin, WSBA No. 34015
Attorneys for Defendant

ORDER FOR ENTRY OF JUDGMENT

Based on the foregoing Stipulation of Plaintiffs and Defendant, it is hereby

ORDERED, ADJUDGED AND DECREED that Plaintiffs be and hereby are awarded judgment against Defendant in the amounts hereinafter listed, which amounts are due the Plaintiffs by Defendant for a total of \$83,000.00, together with interest accruing thereupon at the rate of twelve percent (12%) per annum on the declining balance until fully paid. In addition, Plaintiffs are entitled to their reasonable attorneys' fees and costs in any action to execute upon the instant judgment.

JUDGMENT ENTERED this 14th day of September, 2006.

s/ Mary Alice Theiler
United States Magistrate Judge

Presented for Entry by:

s/Todd A. Lyon
Russell J. Reid, WSBA #2560
Todd A. Lyon, WSBA #30387
Attorneys for Plaintiffs